

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Lawrence Howell Sawyer, et al.      Art Unit 3761  
Serial No. 09/939,061  
Filed August 24, 2001  
Confirmation No. 1730  
For THIN, HIGH CAPACITY ABSORBENT STRUCTURE AND METHOD FOR  
PRODUCING SAME  
Examiner Catherine L. Anderson

April 10, 2008

**LETTER REGARDING ERROR IN PATENT TERM ADJUSTMENT**

TO THE COMMISSIONER FOR PATENTS,  
SIR:

Pursuant to Comment 43 of the rules listed in Federal Register Vol. 65, No. 181 at page 56387 (Sept. 18, 2000), Applicants hereby notify the Office that the term adjustment for the pending patent is thought to be longer than appropriate. The Office has indicated that the application is entitled to a patent term adjustment of seven hundred and twenty-one days (721), but Applicants believe that the correct adjustment is six hundred and ninety-one (691) days.

The Office mailed a Notice to File Missing Parts on September 28, 2001. A copy of the dated Notice is enclosed. A timely response should have been filed by Applicants on or before November 28, 2001. Applicants submitted a Response to the Notice of Missing Parts on April 11, 2002 by filing an Oath of the Applicants, filing a Small Entity Statement, and paying an additional filing fee. It appears from PAIR that the Office mistakenly calculated the submission of Applicants' Response as one-hundred and four days (104) overdue based on the November 28, 2001 deadline. It is believed, however, that the patent term adjustment should be reduced by one-hundred and thirty-four days (134) as a result of this late filing. Particularly, the Oath

and Small Entity Statement were filed 134 days after the end of the allowed two month period from the date the Office mailed its Notice to File Missing Parts. As a result, Applicants believe that the patent term in this application should be adjusted by six hundred and ninety-one (691) days.

Applicants believe that no fee is due for the filing of this letter.

Respectfully Submitted,

/Christopher M. Goff/

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/939,061	08/24/2001	Lawrence Howell Sawyer	KCC-16,208

CONFIRMATION NO. 1730

## FORMALITIES LETTER



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Pauley Peterson Kinne & Fejer  
Suite 365  
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Date Mailed: 09/28/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$648.
  - \$648 for 36 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1488.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY